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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

Date Submitted: October 31, 2007

(use as many sheets as necessary)

Sheet 1 of 5

**Complete if Known**

Application Number	10/035,324
Filing Date	01/04/2002
First Named Inventor	H. William Bosch
Art Unit	1616
Examiner Name	Mina Haghighatian
Attorney Docket Number	029318-0107

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	C1	6 464 958 B1	10/15/2002	BERNINI et al.	
	C2	4 807 814	2/28/1989	DOUCHE et al.	
	C3	5 118 528	6/2/1992	FESSI et al.	
	C4	5 202 110	4/13/1993	DALBY et al.	
	C5	5 225 183	7/6/1993	PUREWAL et al.	
	C6	5 260 478	11/9/1993	BACON et al.	
	C7	5 264 610	11/23/1993	BACON et al.	
	C8	5 300 739	4/5/1994	BITTAR	
	C9	5 322 679	6/21/1994	BACON et al.	
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	C11	5 785 049	7/28/1998	SMITH et al.	
	C12	5 985 309	11/16/1999	EDWARDS et al.	
	C13	6 811 767	11/2004	BOSCH et al.	
	C14	5 192 528	3/1993	RADHAKRISHNAN et al.	
	C15	6 264 922	7/2001	WOOD et al.	
	C16	6 811 767	11/2004	BOSCH et al.	
	C17	5 747 001	5/1998	WIEDMANN et al.	
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**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Documents	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
		WO 02/098565	12/12/2002	ELAN PHARMA INTERNATIONAL LIMITED		
	C21	WO 95/27475	10/19/1995			
	C22	WO 96/25918	8/29/1996			
	C23	WO 98/35666	08/20/1998			
	C24	WO 99/30687	06/24/1999			
	C25	WO 99/38493	08/05/1999			
	C26	WO 99/45779	09/16/1999			
	C27	EP 0 275 796	07/27/1998			
	C28	EP 0 347 779	12/27/1989			
	C29	EP 0 499 299 A2	08/19/1992			
	C30	EP 0 262 560	04/06/1998			
	C31	WO 92/18105	10/29/1992	SANDOZ LTD.		
	C32	WO 96/25921	08/29/1996	NANOSYSTEMS L.L.C.		

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				<b>First Named Inventor</b>	H. William Bosch
				<b>Art Unit</b>	1616
				<b>Examiner Name</b>	Mina Haghighatian
				<b>Attorney Docket Number</b>	029318-0107
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	C33	WO 96/22766	08/01/1996	NANOSYSTEMS L.L.C.		
	C34	WO 96/00567	01/11/1996	EASTMAN KODAK COMPANY		
	C35	WO 95/31974	11/30/1995	EASTMAN KODAK COMPANY		
	C36	WO 94/02122	02/03/1994	UNIVERSITY OF NOTTINGHAM		
	C37	EP 0 600 528	06/08/1994	ELAN PHARMA INTERNATIONAL LIMITED		
	C38	EP 0 717 122 A	10/18/2006	PARI GMBH		
	C39	WO 99/32156 A	7/1/1999	BAYER AG		
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NON PATENT LITERATURE DOCUMENTS			
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	C42	Stephen P. Newman, Chapter 9, "Therapeutic Aerosols," in Aerosols and the Lung, Clarke et al., eds., pp. 197-224 (Butterworths, London, England, 1984)	
	C43	Prodi et al., "Airborne Particles And Their Intrapulmonary Deposition", in Scientific Foundations Of Respiratory Medicine, J. G. Scadding ed., pp. 545-558 (W.B. Saunders Co., Philadelphia, PA 1981)	
	C44	J. Heyder, "Mechanisms Of Aerosol Particle Deposition", Lung Mucociliary Clearance, 80(6):820-823 (1981)	
	C45	Fox et al., "Performance Of A Venturi Eductor As A Feeder In A Pneumatic Conveying System," Powder And Bulk Engineering, pp. 33-36 (1988)	

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				Examiner Name	Mina Haghighatian
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✓	C46	Tiano, "Functionality Testing Used To Rationally Assess Performance Of A Model Respiratory Solution Or Suspension In A Nebulizer (Performance Assessment)," Vol. 56/12-B of Dissertation Abstracts International (1995)			
✓	C47	Waldrep et al., "Operating Characteristics of 18 Different Continuous-Flow Jet Nebulizer With Beclomethasone Dipropionate Liposome Aerosol," Chest, 105(6):106 (1994)			
✓	C48	P. Byron, "Aerosol Formulation, Generation, And Delivery Using Nonmetered Systems," Respiratory Drug Delivery, 144-151 (CRC Press, 1989)			
	C49	Soviet Union Patent No. 628930, for "Bulb-Actuated Ejector For Powdered Medicinal Substance" (1978)			
	C50	F. Moren, Chapter 13, "Aerosol Dosage Forms and Formulations," Aerosols in Medicine. Principles, Diagnosis and Therapy, 2nd Edition, F. Moren et al. eds. (Elsevier Science Publishers 1993)			
✓	C51	Remington's Pharmaceutical Sciences, pp. 1565-1567 (Mack Publishing Company 1990)			
✓	C52	Edwards et al., "Large Porous Particles for Pulmonary Drug Delivery," Science, 276:1868-1871 (June 20, 1997)			
✓	C53	"Test Method B527-93(2000)el Standard Test Method for Determination of Tap Density of Metallic Powders and Compounds," <a href="http://www.astm.org/DATABASE.CART/PAGES/B527.htm">http://www.astm.org/DATABASE.CART/PAGES/B527.htm</a>			

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✓	C54	"Autotap and Dual Autotap," <a href="http://www.quantachrome.com/Density/Autotap.htm">http://www.quantachrome.com/Density/Autotap.htm</a>		
✓	C55	"Optimal Tapped Density Tester," <a href="http://optimalcontrol.com/tapped.html">http://optimalcontrol.com/tapped.html</a>		
	C56	KIRBY ET AL., "Liposomes," <i>Encyclopedia of Controlled Drug Delivery</i> , Vol. 1, John Wiley & Sons, 1999, pp. 461-473.		
	C57	VOIGHT, <i>Pharmazeutische Technologie</i> , 7 <sup>th</sup> Edition, Ullstein Mosby, 1993, pp. 181-182.		
	C58	STRICKER (Ed.), <i>Physikalische Pharmazie</i> , 3 <sup>rd</sup> Edition, Wissenschaftliche Verlagsgesellschaft Stuttgart, 1987, pp. 27-28.		
	C59	CRAIG ET AL., "The relevance of the amorphous state to pharmaceutical dosage forms: glassy drugs and freeze dried systems," <i>International Journal of Pharmaceutics</i> , 179(1999), pp. 179-207.		
	C60	LACY ET AL., <i>Drug Information Handbook</i> , LEXI-COMP, INC., (1993), pp. 95-96.		
	C61	Non Final Office Action USSN 11/592,262 dated 9/19/2007.		

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	C62	Non Final Office Action USSN 10/667,472 dated 10/11/2005.		
	C63	Final Office Action USSN 10/667,472 dated 4/6/2006.		
	C64	Non Final Office Action USSN 10/768,194 dated 4/6/2006.		
	C65	Final Office Action USSN 10/768,194 dated 1/29/2007.		
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